

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF
DEFENDANTS' MOTION TO STRIKE LATE FILED RULE 26 DISCLOSURES**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. Attached as Exhibit A is a true and correct copy of Plaintiff's initial Rule 26 Disclosures dated July 24, 2006.

3. Attached as Exhibit B is a true and correct copy of Plaintiff's Supplemental Rule 26 Disclosures dated August 21, 2006.

4. Attached as Exhibit C is a true and correct copy of Andrew G. Finkelstein's May 21, 2007, letter to Defendants' enclosing a chart of witnesses.

5. Attached as Exhibit D is a true and correct copy of Plaintiff's Supplemental Rule 26 Disclosures dated January 21, 2010.

6. Attached as Exhibit E is a true and correct copy of Defendants' June 25, 2007, letter to Andrew G. Finkelstein.

7. Attached as Exhibit F is a true and correct copy of Defendants' September 6, 2007, letter to Kenneth Fromson, and Plaintiff's September 7, 2007, response letter to Angela Seaton.

8. Attached as Exhibit G is a true and correct copy of the MDL Court's June 20, 2008, Order.

9. Attached as Exhibit H is a true and correct copy of Plaintiff's Supplemental Rule 26 Disclosures dated January 9, 2009.

10. Attached as Exhibit I is a true and correct copy of Plaintiff's Memorandum in Support of Emergency Request for Issuance of Suggestion of Remand.

I declare the foregoing statements are true and correct under the penalties of perjury, this the 5th day of February, 2010.



Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of February 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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